

REMARKS

Claims 1-21 are pending in this application, of which Claims 1, 8, 14, 16, 18 and 20 are in independent form. Claims 1, 4, 5, 7, 8, 10-12, 14, 16, 18 and 20 have been amended to define still more clearly what Applicant regards as his invention.

Claims 1-21 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,453,066 (Shiraiwa et al.).

Independent Claims 1, 7, 8, 12, 14, 16, 18 and 20 have each been amended to clarify a point of the respective aspects of the invention to which those claims are directed, specifically, the method of selecting a set of colorimetric data of a light source. According to each of the independent claims, there is selected the set of colorimetric data of that light source which has a condition similar to input viewing condition, from among a plurality of sets of colorimetric data corresponding to respective light sources, this being done by comparing the input viewing condition with respective conditions of the light sources. (It should be noted that dependent Claims 10 and 11 recite details about the condition of the light sources.)

For example, independent Claim 1 is directed to an image processing method that comprises obtaining a plurality of sets of colorimetric data which correspond to respective light sources, inputting a viewing condition, and comparing the input viewing condition with conditions of the light sources to select a set of colorimetric data of a light source that which has a condition similar to the input viewing condition, from the plurality of sets of colorimetric data. Then, the method involves conjecturing colorimetric data depending on the input viewing condition from the selected set of colorimetric data.

Shiraiwa has been discussed adequately in previous papers, and it is not believed to be necessary to repeat that discussion in full. Applicant submits, however, that nothing in that patent would teach the above method of selecting the set of colorimetric data of the light source.^{1/}

Applicant notes the Examiner's reliance on *Shiraiwa* as teaching "colorimetric data on a plurality of light sources and to store this into a memory" in Figs. 4, 5 and 8, and col. 5, lines-1-45. However, Figs. 4 and 5 illustrate spectral distributions of standard illuminants (such as A, B, C and 065) and a fluorescent lamp, the standard illuminant C and a xenon lamp, and col. 5, lines 1-20 describes a method of determining types of different light sources by using a sensor. The spectral distributions are different from sets of colorimetric data corresponding to respective light sources of the present invention, because, for example, a set of colorimetric data includes RGB data of a color target and XYZ data of the color target under a light source, as described in pages 49-50 of the specification. In other words, the sets of colorimetric data are not obtained by measuring the light source using the sensor as described in *Shiraiwa*.

Applicant also notes the Examiner's citation of matrix XYZ12XYZ2 stored in a storage section 312 as described in col. 5, lines 21-45, of *Shiraiwa* as corresponding to a set of colorimetric data, and his assertion that the recited conjecturing step can be deemed to read on the method of forming the matrix XYZ12XYZ2 as described in col. 6, lines 12-40. Applicant strongly asserts that the Examiner has misapprehended this point. If the matrix

^{1/}Applicant specifically repeats and maintains each of the arguments presented in his Amendment dated September 22, 2003, in traversal of the rejection of his claims over *Shiraiwa*.

XYZ12XYZ2 is taken as corresponding to the set of colorimetric data in accordance with the Examiner's opinion, *Shiraiwa* conjectures or generates XYZ12XYZ from XYZ12XYZ2 based on input color signals in a signal converter 304 shown in Fig. 1 or 8. However, *Shiraiwa* teaches that the converter 304 converts X1 Y1 Z1 signals into X2Y2Z2 signals by using the matrix XYZ12XYZ2 read from the storage section 312, as described in col. 4, lines 57-67. That is, *Shiraiwa* teaches that the matrix XYZ12XYZ2 generated by the method described in col. 6, lines 12-40, the generated matrix XYZ12XYZ2 is stored in the storage section 312, and the stored matrix XYZ12XYZ2 is used by the converter 314 to convert input color signals into output color signals. It is believed to be apparent from this that the matrix XYZ12XYZ2 cannot properly be deemed to correspond to the recited set of colorimetric data.

Fig. 8, also cited in the Office Action, shows a modification of Fig. 1. Applicant frankly does not understand the reason for which Fig. 8 is cited. In any event, however, Applicant strongly asserts that nothing in Fig. 8 would teach or suggest the mentioned element of Claim 1, and of the other independent claims as well, each of which is therefore deemed patentable over *Shiraiwa*.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the

invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. § 1.116. Entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, the Examiner is respectfully requested to contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


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